

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3380

IN THE MATTER OF:

Served July 21, 1989

Application of DUKE ENTERPRISES,)
INC., for a Certificate of Public)
Convenience and Necessity to)
Perform Charter Operations)

Case No. AP-89-25

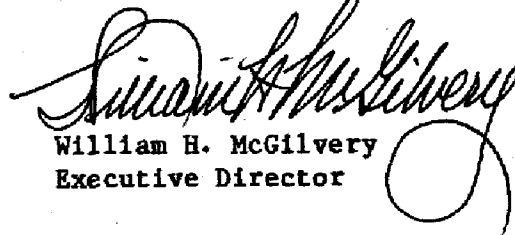
By Order No. 3357, served June 16, 1989, the above-captioned application was scheduled for public hearing on July 27, 1989. Among other things, applicant was directed to pay an assessment for hearing costs no later than July 14, 1989, and to file certain financial data. Applicant failed to comply with these requirements. Accordingly, the hearing will be cancelled, and applicant will be directed to show cause why its application should not be dismissed for lack of prosecution.

On July 21, 1989, applicant filed a motion to postpone the hearing because it "has just retained counsel who needs additional time within which to prepare necessary documents." In light of the action taken in this order, and for failure to specify suitable grounds for granting this motion, the motion will be denied.

THEREFORE, IT IS ORDERED:

1. That the public hearing scheduled for July 27, 1989, in Case No. AP-89-25 is hereby cancelled.
2. That Duke Enterprises, Inc., is hereby directed to show good cause, if any there be, why Case No. AP-89-25 should not be dismissed for lack of prosecution, no later than Friday, August 4, 1989.
3. That the motion of Duke Enterprises, Inc., to postpone the public hearing scheduled for July 27, 1989, is hereby denied.

FOR THE COMMISSION:


William H. McGilvery
Executive Director